

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Kappel, et al.

Group No.: 2161

Serial No.: 09/819,446

Docket No. 051207-1070

Filed: March 28, 2001

For: **CUSTOMER CARE AND BILLING SYSTEM**

PETITION UNDER 37 C.F.R. 1.181

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This petition deals with issues raised by the Office in connection with the Notice of Incomplete Reply dated on March 13, 2002.

Applicant's Attorney hereby submits a signed Affidavit by Ms. Evelyn Sanders (Exhibit A) that all required documents were filed on November 26, 2001 in response to the Missing Parts.

It is believed that Applicant contends the missing Declaration signed by the inventor, Michael Meadows has occurred through no fault of the Applicant. Applicant further contends that the Declaration appears to have been misplaced from the confines of the correspondence sent to the USPTO on November 26, 2001 (Exhibit B). Furthermore, the most convincing evidence is the accompanying stamped return receipt postcard (Exhibit C). However, the return receipt postcard stamped by the Office dated January 10, 2002 was damaged, but a copy of the postcard (Exhibit D) prior to deposit with the Postal Office indicates the submission of the signed Declaration is included.

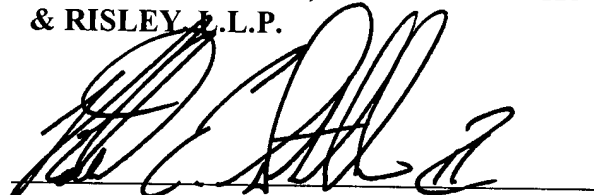
Applicant's Attorney hereby requests that the Office granted the Petition accordingly.

The Commissioner is authorized to charge Deposit Account 20-0778 for any deficiencies or credit any over payments.

Respectfully Submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By:


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